

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MATTHEW G. SILVA,)	CASE NO. C04-1885-JLR-MAT
)	
Plaintiff,)	
)	
v.)	ORDER DIRECTING RESPONSE TO
)	MOTION FOR PRELIMINARY
LARRY MAYES, et al.,)	INJUNCTIVE RELIEF
)	
Defendants.)	
_____)	

Plaintiff filed an ex parte motion for temporary restraining order/preliminary injunction. (Dkt. 148.) He requests in his motion that defendants return money taken from him without lawful authority. (*Id.* at 1.) The Court, having reviewed plaintiff's motion, and the balance of the record, does hereby ORDER:

(1) Plaintiff has not demonstrated, as required by Rule 65(b) of the Federal Rules of Civil Procedure, that he will suffer immediate and irreparable injury, loss, or damage before defendants can be heard in opposition. The Court therefore construes plaintiff's motion as one for preliminary injunction rather than as one for a temporary restraining order, and directs defendants to file a response to the motion within **twenty (20) days** of the entry of this Order. The Court expresses no views at this time as to the merits of plaintiff's motion.

///

///

01 (2) The Clerk shall direct a copy of this Order to the parties and to the Hon. Mary
02 Alice Theiler.

03 DATED this 13th day of July, 2005.

04 s/James L. Robart

05 _____
06 JAMES L. ROBART
07 United States District Judge
08

09 Recommended for Entry
10 this 12th of July, 2005.

11 s/ Mary Alice Theiler
12 _____
13 United States Magistrate Judge
14
15
16
17
18
19
20
21
22
23
24
25
26